

Statutory Guidance

Standards in Scotland's Schools etc. Act 2000

Pupils experiencing inequalities of outcome

National Improvement Framework

Planning and reporting

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CONTENTS

4-14	Chapter 1: Introduction
9	Glossary of terms
15-28	Chapter 2: Pupils experiencing inequalities of outcome
15	Summary of new education authority duties
16	Introduction and context
18	Duties the education authority must fulfil
20	Definitions: “school education” “decisions of a strategic nature” “due regard” “inequalities of outcome” “socio-economic disadvantage”
25	Approaches the education authority may take to fulfil its duties: <ul style="list-style-type: none">• Potential sources of evidence• Frequency of consultation• Consultation methods
29-36	Chapter 3: Delivering the priorities of the National Improvement Framework
29	Summary of new education authority duties
30	Introduction and context
32	Duties the education authority must fulfil
32	Approaches the education authority may take to fulfil its duties <ul style="list-style-type: none">• NIF strategic priorities• NIF drivers• Potential sources of evidence

37-55	Chapter 4: Sections 3F, 3H and School Improvement Planning: Plans and reports
37	Summary of new education authority and Headteacher duties
39	Introduction and context
41	Duties the education authority must fulfil – sections 3F and 3H plans and reports
42	Planning Period
43	Approaches the education authority may take to fulfil its duties: <ul style="list-style-type: none"> • The planning and reporting process • Format of plans/reports
50	School Improvement Planning
51	Planning period (schools)
53	The planning and reporting process
55	Format of plans and reports
Annex A	56 Planning and reporting timeline
Annex B	57 Planning and reporting tabular timeline
Annex C	61 Guidance note on local authority reporting

CHAPTER 1: INTRODUCTION

1.1 This is statutory guidance prepared under section 13 of the Standards in Scotland's Schools etc. Act 2000 ("the 2000 Act") as amended by section 4 of the Education (Scotland) Act 2016 ("the 2016 Act"). Section 13 enables the Scottish Ministers to issue guidance to education authorities in relation to their functions under section 3 to 8 of the 2000 Act, and education authorities are required to have regard to this guidance in discharging these functions.

1.2 This guidance focuses in particular on education authority duties which are designed to enhance equity and support improvement within schools and across education authorities as provided for in the following statutory provisions:

- **Section 3B of the 2000 Act¹**: imposes duties on education authorities which are designed to promote a reduction in inequalities of educational outcome experienced by pupils as a result of socio-economic disadvantage.
- **Section 3D of the 2000 Act²**: imposes a duty on education authorities, in discharging their duty under section 3(2) of the 2000 Act (to secure improvement in the quality of school education) to do so with a view to achieving the strategic priorities of the National Improvement Framework³.
- **sections 3F, 3H⁴ and 6 of the 2000 Act**: impose duties on education authorities in relation to annual planning and reporting; and annual school improvement planning.

1.3 These duties have been introduced by way of a series of amendments to the 2000 Act, delivered through Part 1 of the 2016 Act. They form part of a broad programme of activity focused on improving educational outcomes for all learners

¹ Section 3B is inserted into the 2000 Act by section 1 of the 2016 Act.

² Section 3D is inserted into the 2000 Act by section 2 of the 2016 Act.

³ "National Improvement Framework" is defined in section 58(1) of the 2000 Act as amended by section 2(4)(b) of the 2016 Act.

⁴ Section 3F and 3H are inserted into the 2000 Act by section 3 of the 2016 Act.

and closing the attainment gap experienced by children and young people from disadvantaged backgrounds. This is underpinned by section 2(1) of the 2000 Act which states that:

“Where school education is provided to a child or young person by, or by virtue of arrangements made, or entered into, by, an education authority it shall be the duty of the authority to secure that the education is directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential.”

1.4 The broader programme builds on the approach embodied through Curriculum for Excellence and will support the Scottish Ministers, education authorities and others to promote, support and safeguard the wellbeing and development of our children and young people. The Children and Young People (Scotland) Act 2014 (“the 2014 Act”) places further duties on local authorities and other bodies to more actively collaborate and take action to promote and safeguard the wellbeing of looked after children and care leavers.

1.5 The new duties imposed on education authorities by the 2000 Act as amended by the 2016 Act are designed to complement the range of legal requirements already placed on education authorities, most notably the legal requirement included at section 3(2) of the 2000 Act which provides:

“An education authority shall endeavour to secure improvement in the quality of school education which is provided in the schools managed by them; and they shall exercise their functions in relation to such provision with a view to raising standards of education.”

1.6 The new duties imposed on education authorities will take effect from August 2017.

1.7 The guidance is split into three main parts, focusing on the following main issues:

- Pupils experiencing inequalities of outcome;
- National Improvement Framework (“the NIF”), and;
- Planning and reporting.

1.8 The duties covered in each part form part of a single coherent approach designed to deliver both excellence and equity across Scotland’s education system. It is therefore important that all aspects of the guidance are considered together.

1.9 The guidance is issued under section 13 of the 2000 Act and is complemented by the “National Improvement Framework for Scottish Education”⁵, “How Good is our School 4 (*HGIOS? 4*)”⁶ and “How Good is our Early Learning and Childcare?”⁷, the national self-evaluation toolkits for Scottish schools. It is recognised, however, that in discharging their education functions, education authorities may require to cut across, or have regard to, a number of interrelated policies, initiatives and legislation. To that end, this statutory guidance also takes account of other guidance related to Getting It Right for Every Child (GIRFEC)⁸ and the Scottish Attainment Challenge as well as the priorities set out in “Developing the Young Workforce: Scotland’s Youth Employment Strategy.”⁹ It may be helpful for education authorities and schools to consider their duties, and guidance¹⁰, under the Scottish Schools (Parental Involvement) Act 2006 given that many of the new duties set out at paragraph 1.2 will require them to consult with parents, whether individually or through Parent Councils and such like.

1.10 Recognising that the delivery of education services represents a very significant part of children’s services planning and delivery, it is important that this guidance is considered in conjunction with the statutory guidance issued under section 15 of the 2014 Act which relates to Part 3 (children’s services planning)¹¹,

⁵ <http://www.gov.scot/Publications/2016/12/8072>

⁶ <http://www.educationscotland.gov.uk/resources/h/hgios4/introduction.asp>

⁷ <https://education.gov.scot/improvement/Pages/frwk1hgioearlyyears.aspx>

⁸ <http://www.gov.scot/Topics/People/Young-People/gettingitright/publications/revised-draft-guidance>

⁹ <http://www.gov.scot/Publications/2014/12/7750>

¹⁰ <http://www.gov.scot/resource/doc/148166/0039411.pdf>

¹¹ <http://www.gov.scot/Publications/2016/12/8683>

Part 6 (Early Learning and Childcare)¹² and Part 9 (Corporate Parenting)¹³ of that Act. Education authorities will also wish to bear in mind their duties under the Education (Additional Support for Learning) (Scotland) Act 2004 (as amended) when considering this guidance. This guidance should also be considered in relation to section 20 (duty to provide information to Skills Development Scotland) of the Post-16 Education (Scotland) Act 2013 and the Young People's Involvement in Education and Training (Provision of Information) (Scotland) Order 2014 which concern the provision of information to support post-school participation in learning, training and work. Furthermore, awareness of the local authority's responsibilities under the Requirements for Community Learning and Development (Scotland) Regulations 2013 may be helpful as other relevant work may already be underway within the authority which could contribute to the carrying out of the education authority's new duties. This could perhaps involve some of the same educational practitioner stakeholders, such as community learning and development workers including youth workers, for example.

1.11 While the guidance has been designed to support education authorities in effectively fulfilling the relevant duties listed in paragraph 1.2, it seeks to offer a degree of flexibility and discretion with regard to how they do this in practice. This approach should allow each authority to shape their own policies and processes, reflecting their local context and the needs of their communities while at the same time allowing education authorities to report against the key NIF priorities. It will also enable education authorities to take account of the Tackling Bureaucracy agenda and other related work in shaping how they take forward their duties in practice. In future, if required, case studies could be developed to support education authorities in exploring how they might fulfil the duties covered by this guidance. These would be made available via Education Scotland's National Improvement Hub¹⁴ for illustrative purposes only (there would be no requirement for education authorities to adopt these models).

¹² <http://www.gov.scot/Publications/2014/08/2256>

¹³ <http://www.gov.scot/Publications/2015/08/5260>

¹⁴ <https://education.gov.scot/improvement>

1.12 The guidance is aimed at those with statutory responsibility for fulfilling the relevant duties described above (education authorities). The guidance will therefore be of interest to strategic leaders and senior operational managers in education authorities including those appointed as Chief Education Officer under section 25 of the 2016 Act, once those provisions are commenced. Headteachers will wish to familiarise themselves with the relevant parts of this guidance, given education authorities are required to delegate the carrying out of their duty to prepare the school improvement plan to them. It will be the responsibility of the education authority to ensure that all appropriate staff are supported to satisfy the legal requirements of the 2000 Act, as amended by the 2016 Act, through local guidance, policies and procedures, and training and management support structures.

1.13 It is also likely to be of interest to other organisations involved in the delivery of education services and those involved in strategic planning processes related to children's services. The guidance is not, in itself, aimed at parents and/or children and young people. Education authorities are also encouraged to explore what measures they can take to raise awareness of the contents of the guidance within their communities.

GLOSSARY OF TERMS

Within the context of this statutory guidance, the following terms have the following meanings:

Attainment refers to the measurable progress which children and young people make as they progress through and beyond school. This progress is in relation to curriculum areas and in the development of skills for learning, life and work.

Achievement refers to the totality of skills and attributes embedded within the four capacities of Curriculum for Excellence and developed across the curriculum in school and through learning in other contexts. This includes successes recognised by other groups and bodies as well as strengths identified by the individual.

The attainment gap refers to the gap in attainment and achievement between those living in Scotland's least and most disadvantaged homes. Many children and young people from lower-income households do significantly worse at all levels of the education system than those from better-off homes. Success in closing the attainment gap will be reflected in improved levels of attainment and achievement across a number of identified measures.

Corporate Parenting is defined in the statutory guidance with reference to Part 9 of the 2014 Act as an organisation's performance of actions necessary to uphold the rights and safeguard the wellbeing of a looked after child or care leaver, and through which physical, emotional, spiritual, social and educational development is promoted.¹⁵

Curriculum for Excellence (CfE) is the curriculum in Scotland for children and young people aged 3 to 18 years old. Curriculum for Excellence aims to transform

¹⁵ Definition is adapted from Sonia Jackson's definition of 'parenting' presented in M. Davies (ed) (2000) *The Blackwell Encyclopaedia of Social Work*, Oxford, Blackwell, and cited in the Scottish Government (2008) [These Are Our Bairns: A Guide for Community Planning Partnerships on Being a Good Corporate Parent](#).

education in Scotland by providing a coherent, flexible and enriched curriculum which will prepare young people for learning, life and work in the 21st century.

CfE levels refer to the levels of learning within CfE. There are two phases of CfE- broad general education (pre-school to S3), then senior phase (S4 to S6). Across the BGE there are five levels of learning: Early, First, Second, Third and Fourth.

Data are facts and statistics collected together for reference or analysis.

Education authority means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994, in the discharge of its education functions.

Education authority annual plan is a plan which must be prepared and published under new section 3F of the 2000 Act (introduced by section 3 of the 2016 Act). The annual plan must set out three different things:

- (a) steps proposed to reduce inequalities of outcome for pupils experiencing them as a result of socio-economic disadvantage;
- (b) the steps proposed to comply with authorities' duty to consult with and advise the persons specified in section 3B(4) when making decisions of a strategic nature about the carrying out of their school education functions, and;
- (c) steps proposed in pursuance of the NIF (the four key NIF priorities)

The plan must be published before the 12 month planning period commences (see below). The planning period dates will be prescribed in regulations brought forward by the Scottish Ministers in 2017.

Education authority annual report is a report which must be prepared and published under new section 3H of the 2000 Act (introduced by section 3 of the 2016 Act). The report must set out:

- (a) steps taken to reduce inequalities of outcome for pupils experiencing them as a result of socio-economic disadvantage;
- (b) steps taken to comply with authorities' duty to consult and advise those persons specified in section 3B(4);
- (c) steps taken in pursuance of the NIF (the four key NIF priorities), and;

(d) any resulting educational benefits for pupils.

The report must be published as soon as is reasonably practicable following the end of the planning period.

Employability is the combination of factors and processes which enable people to progress towards employment, to stay in employment and to move on in the workplace.

Equity is the result of treating people fairly, but not necessarily treating people the same. Equity in education means steps are taken to ensure that, as far as is possible, personal or social circumstances such as gender, ethnic origin or family background are not obstacles to achieving educational outcomes and that all our young people are well supported to secure wellbeing, skills for learning, life and work and the best possible post-school destination.

Equality is the result of the removal of barriers and the widening of opportunities for those for whom access is limited. Where equality is embedded in practice, there will be no prejudice-based discrimination.

Family learning is one aspect of parental involvement and is a method of engagement and learning which can foster positive attitudes towards lifelong learning, promote socio-economic resilience and challenge educational disadvantage. Family learning encourages family members to learn together as and within a family, with a focus on intergenerational learning. Family learning activities can also be specifically designed to enable parents to learn how to support their children's learning.

Inequalities of outcome is the term used to describe a measurable difference in the attainment and achievement of children who fall within groups that share certain characteristics and those who do not.

National Improvement Framework (NIF) sets out the Scottish Government’s vision and priorities for Scotland’s children’s progress in learning¹⁶. The most recent NIF, at the time of publication of this guidance, was published on 13 December 2016.

NIF drivers provide a focus and structure for gathering evidence which can then be analysed to identify where further improvements can be made in Scottish education.

NIF key priorities, as set out in the most recent NIF, are:

- improvement in attainment, particularly in literacy and numeracy;
- closing the attainment gap between the most and least disadvantaged children;
- improvement in children and young people’s health and wellbeing, and;
- improvement in employability skills and sustained, positive school leaver destinations for all young people.

National Outcomes describe what the Government wants to achieve over the next ten years. They help to sharpen the focus of government, enable priorities to be clearly understood and provide a clear structure for delivery.

Parent is any person (including a guardian) who is liable to maintain or has parental responsibilities (within the meaning of section 1(3) of the Children (Scotland) Act 1995) in relation to, or has care of a child or young person. This is a wide definition which might, by way of example, include: non-resident parents who are liable to maintain or have parental responsibilities in respect of a child; carers who can be parents; others with parental responsibilities, e.g. foster carers, relatives and friends who are caring for children and young people under supervision arrangements, **and**; close relatives, such as siblings or grandparents caring for children who are not looked after or are under home supervision arrangements. Everyone who is a parent has rights to receive advice and information about their child’s education, general information about the school, to be told about meetings involving their child, and to participate in activities, such as taking part in decisions relating to a Parent Council.

¹⁶ <http://www.gov.scot/Topics/Education/Schools/NationalImprovementFramework>

Parent Council is defined in the Scottish Schools (Parental Involvement) Act 2006 as the statutory body responsible for representing parents' views in the life and work of the school. Members of the Parent Council must be members of the school's Parent Forum. That is, they must have a child attending the school.

Parent Forum – Parent Forum is defined in the Scottish Schools (Parental Involvement) Act 2006. All parents who have a child attending a public school are automatically a member of the Parent Forum for that school. Membership of the forum allows parents to have a say in the local arrangements to enable their collective view to be represented on matters such as the quality and standards of education at the school. When considering how and in what ways to involve and work in partnership with parents, schools should consider how to involve the wider Parent Forum as well as the Parent Council.

Partners include all individuals or organisations that deliver learning and contribute to the life and work of schools. These may include community learning and development services, colleges, universities, employers, third sector, community organisations and libraries.

Planning period is an annual 12 month period of activity, the dates of which are to be prescribed in regulations to be made by the Scottish Ministers¹⁷. Education authorities will take action over the 12 months in line with the annual plan it has published and will subsequently report on the progress made against the plan once the planning period has concluded.

Pupils are those children and young people aged 3-18 who receive education provided by the education authority whether that is in the early years through nursery, through primary school or secondary school, or other means. In some cases this may also include some looked after 2 year olds.

¹⁷ Section 3F(4) of the 2000 Act as inserted by section 3 of the 2016 Act.

Socio-economic disadvantage describes disadvantage caused as a result of a combination of inter-related social and economic factors such as poverty as a consequence of low income, health, housing or education.

Stakeholders are those who are affected by the carrying out of the duties outlined in this guidance and, while not exhaustive, may include Headteachers, pupils, parents of pupils, Parent Councils and the wider parent forum within schools, teachers, teaching staff unions, voluntary organisations and, where applicable, church representatives.

Standards and Quality report is a term used within most education authorities to describe the annual report on school improvement activity that is produced by most education authorities under section 6(4) of the 2000 Act.

GUIDANCE – Chapter 2:

Pupils experiencing inequalities of outcome

Guidance made under section 13 of the Standards in Scotland's Schools etc. Act 2000

Summary of new education authority duties

To have due regard to the need to carry out school education functions in a way designed to reduce inequalities of outcome for those pupils experiencing them as a result of socio-economic disadvantage (see section 3B of the 2000 Act).

- Education authorities, in carrying out their school education functions, must have **due regard** to the need to reduce inequalities of educational outcome experienced by pupils as a result of socio-economic disadvantage, where:
 - an education authority is making a decision of a strategic nature about the carrying out of its functions relating to school education;
 - an education authority is considering what steps to take to implement such a decision.¹⁸
- The duty applies to: all pupils in receipt of early learning and childcare provided under section 47 of the Children and Young People (Scotland) Act 2014, and all pupils in receipt of primary or secondary education provided by an education authority, including those placed in an independent or grant aided school by an education authority, and covering education delivered in partnership with colleges, employers and Community Learning Development Partners.
- Education authorities must seek and have regard to the views of the persons set out at paragraph 2.11 of this statutory guidance document, in fulfilling their “**due regard**” duty.
- The processes education authorities put in place to fulfil their “due regard” duty must support authorities in understanding the impact that their strategic decisions have (or are likely to have) on educational outcomes for those children and young people impacted by socio-economic disadvantage.
- The education authority is expected to consider a range of available evidence which is relevant. Evidence should include data on the effectiveness of past improvement activity undertaken within the authority and must take account of learning from individual school improvement planning processes as well as relevant evidence developed in other areas.

¹⁸ See section 3B(1) and (2) of the 2000 Act.

2. Introduction and context

2.1. The central purpose of the Scottish Government is to create a more successful country with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. 16 National Outcomes contribute to the achieving of the central purpose by setting out what the Scottish Government wants to achieve and providing a clear structure for delivery. Four of these National Outcomes are key to improving outcomes for children and young people:

- Our children have the best start in life and are ready to succeed;
- Our young people are successful learners, confident individuals, effective contributors and responsible citizens;
- We are better educated, more skilled and more successful, renowned for our research and innovation, and;
- We have tackled the significant inequalities in Scottish society.

2.2. The Scottish Government is determined to deliver a successful education system which meets the needs of our children and young people. It should focus on achieving excellence and equity within Scotland's education system by closing the attainment gap and creating continuous improvement. The 2017 National Improvement Framework and Improvement Plan¹⁹ was published on 13 December 2016 and set out the steps the Scottish Government will take to drive improvement in Scottish Education, in particular to deliver excellence and equity and to close the attainment gap between our least and most disadvantaged children and young people.

2.3. The most important factor is the belief that every child and young person matters, can achieve equity of outcome, can access quality of learning, and can achieve as highly as possible, according to their individual abilities and strengths. In striving for equity, the attitudinal factors to be addressed include: lack of engagement, lower expectations and confidence and a resulting lack of ambition. By supporting children and young people to become confident,

¹⁹ <http://www.gov.scot/Topics/Education/Schools/NationalImprovementFramework>

responsible and effective learners, educational outcomes can be improved and children and young people will be prepared with the knowledge, skills and attributes required to succeed in life. This represents a significant contribution to the economic growth of the country, improving wellbeing, family life, lifestyles, communities and the nation as a whole as well as increased opportunities for all.

2.4. Evidence shows that there is a significant gap in educational attainment between children and young people living in the most and least socially disadvantaged areas of Scotland. That can be as a result of many different contributing factors, including, most significantly, levels of family income or poverty. Whatever the reason(s), this is clearly not acceptable. The earlier that gaps in attainment can be identified and tackled, the better chance there is of securing positive outcomes, whether those be educational, health and wellbeing related or financial and so on. It is, therefore, important that any attainment gap is addressed for children and young people from the earliest opportunity.

2.5. There has been a longstanding legal requirement on Scottish Ministers and education authorities to raise attainment for all. Section 3 of the 2000 Act provides that:

(1) The Scottish Ministers shall endeavour to secure improvement in the quality of school education which is provided for Scotland; and they shall exercise their powers in relation to such provision with a view to raising standards of education.

2) An education authority shall endeavour to secure improvement in the quality of school education which is provided in the schools managed by them; and they shall exercise their functions in relation to such provision with a view to raising standards of education.

2.6. However, less emphasis has been placed on the need to address, through legislation, the educational challenges that pupils experience which are specifically associated with socio-economic disadvantage. The 2016 Act amends the 2000 Act so as to require that an increased level of priority and

focus be attached to addressing this issue at both national and local level, both by the Scottish Ministers and education authorities.

Duties the education authority must fulfil

Section 3B: Pupils experiencing inequalities of outcome – education authority’s duty to have “due regard”

2.7. Section 3B of the 2000 Act (as inserted by section 1 of the 2016 Act) places a duty on education authorities, in carrying out their school education functions, to **have due regard to the need to reduce inequalities of educational outcome experienced by pupils as a result of socio-economic disadvantage** (referred to hereafter as the “due regard” duty). Subsection (1)(a) requires that education authorities satisfy this duty where:

- “an education authority is making a decision of a strategic nature about the carrying out of its functions relating to school education; or
- an education authority is considering what steps to take to implement such a decision.”

2.8. In effect, the primary duty in section 3B of the 2000 Act, requires that education authorities continually consider whether they can do more to help those pupils impacted by socio-economic disadvantage to achieve equality of outcome and to give due weight to the outcome of those considerations when delivering school education.

2.9. Section 3A(2)(b)(ii) of the 2000 Act allows the Scottish Ministers to extend, through regulations, the scope of the duty placed on education authorities so as to capture other groups of children experiencing inequalities of educational outcome in addition to those who experience such inequalities as a result of socio-economic disadvantage. There are no plans to use this regulation making power at present.

Section 3B: Pupils experiencing inequalities of outcome – education authority’s duty to consult and have regard to views

2.10. Education authorities are expected to consider the range of relevant available evidence in order to inform the decisions and steps they take with a view to reducing inequalities of outcome. Partners can prove a valuable source of such evidence and it is important that they are given the opportunity to inform and influence an authority’s approach.

2.11. Accordingly, section 3B(3) of the 2000 Act (as inserted by section 1 of the 2016 Act) requires that, in fulfilling their “due regard” duty, the education authority must seek and have regard to the views of the following persons as listed in section 3B(4) (and must also provide any advice and support the authority thinks appropriate to those persons in relation to the authority’s strategic decisions and steps to take to implement such decisions):

- a) The Headteachers of such schools managed by the authority as the authority thinks appropriate;
- b) Such pupils as the authority thinks appropriate;
- c) The parents of such pupils as the authority thinks appropriate;
- d) The representatives of any trade union which appears to the authority to be representative of the teaching staff at such schools managed by the authority as the authority thinks appropriate;
- e) Such voluntary organisations as the authority thinks appropriate, and;
- f) Any other persons the authority thinks appropriate.

2.12. Other appropriate persons could include, for example, partners involved in delivering programmes, such as colleges; any Developing Young Workforce Regional Group associated with the authority, and; Parent Councils and the wider parent forum within schools.

2.13. Section 3B(3) provides that the key partners listed in subsection (4) must be involved in the decision making process. However, the education authority does have discretion to consult other stakeholders in addition to those listed.

Definitions of “school education”, “decisions of a strategic nature”, “due regard”, “inequalities of outcome” and “socio-economic disadvantage”.

Defining “school education”

2.14. Section 3B focuses on the delivery of an education authority’s functions relating to school education. The definition of “school education” for the purposes of the 2000 Act is the same as the definition in the Education (Scotland) Act 1980 (section 1(5)(a)):

“progressive education appropriate to the requirements of pupils, regard being had to age, ability and aptitude of such pupils, and includes:

- (i) early learning and childcare
- (ii) the teaching of Gaelic in Gaelic-speaking areas”

2.15. Early Learning and Childcare is defined in the 1980 Act with reference to the definition at section 46 of the Children and Young People (Scotland) Act 2014, which provides:

“early learning and childcare” means a service, consisting of education and care, of a kind which is suitable in the ordinary case for children who are under school age, regard being had to the importance of interactions and other experiences which support learning and development in a caring and nurturing setting.”

2.16. Consequently, the duty introduced at section 3B of the 2000 Act, through the 2016 Act, applies in respect of:

- all pupils in receipt of early learning and childcare provided under section 47 of the Children and Young People (Scotland) Act 2014;
- All pupils in receipt of primary or secondary education provided by an education authority, including those placed in an independent or grant aided

school by an education authority, and covering education delivered in partnership with the local authority with colleges, employers and Community Learning Development Partners.

Defining “decisions of a strategic nature”

2.17. The duty introduced by section 3B focuses on the considerations which must be made when education authorities are taking decisions of a **strategic nature** about the carrying on of their school education functions and when deciding how best to implement those decisions.

2.18. Education authorities take a wide range of decisions relating to individual learners and other day-to-day operational matters within the schools they operate, including the support required to overcome barriers to their learning²⁰. It is not the intention that these decisions be covered by the duty included in section 3B. Instead, the duty is intended to focus on those key, high level decisions which influence the way in which education is provided across an education authority area. It is the responsibility of the education authority to frame local policies within strategic decision making processes. It is, therefore, recognised that these decisions could ultimately impact on the operational matters within individual schools and classrooms.

2.19. Examples of strategic decisions could include:

- The setting of education budgets, including staff planning and management arrangements where the size or geographical nature of the authority results in these aspects becoming strategic decisions;
- The establishment of arrangements for monitoring the standards and quality of school education in a given area;
- Decisions about the size and construct of the school estate;

²⁰ Supporting Children’s Learning, Code Of Practice for Additional Support for Learning
<http://www.gov.scot/resource/doc/348208/0116022.pdf>

- Decisions about the commissioning of services, including any that may be provided by another authority;
- Decisions about specialist provision, including measures to implement accessibility strategies and inclusion, across the education authority area;
- The identification of targeted and sustained improvement activity designed to raise standards and address known challenges across an education authority area, such as those priorities set out in the National Improvement Framework and Improvement Plan;
- The content of any guidance issued by an education authority to schools in their area on, for example, school excursions, activities and clubs, school dress codes, charging/non-charging for course materials and music or other tuition;
- Decisions taken at authority level which impact on the ability of children and young people to access and participate in education, including strategies for providing support and challenge to partnership providers;
- Partnership arrangements to promote equity and collaborative working, and;
- Alignment and rationalisation of strategic decision making with other local authority planning mechanisms, where relevant, such as Local Outcomes Improvement Planning, Community Planning, Integrated Children’s Services Planning.

2.20. In order to fulfil the “due regard” duty at section 3B of the 2000 Act, education authorities will have to identify those decisions of a strategic nature they take and, further, to consider how those strategic decisions can be **taken and given effect to** in a way which addresses, or helps to address, the disparity in educational outcomes which exists between our most and least disadvantaged learners whilst at the same time raising attainment for all.

Defining “due regard”

2.21. Commonly, legislation places a duty on somebody (an individual or a body corporate) to “have regard” to certain considerations when making a decision. In order for somebody to “have due regard”, not only must they consider the issue

but it must be given weight which is proportionate to its relevance. In the context of the duty included at section 3B, education authorities have a legal responsibility to consider how they can reduce inequalities of educational outcome caused by socio-economic disadvantage. Further, they will have to attach a degree of weight to this matter and balance it against countervailing factors appropriately.

2.22. The duty is designed to strike a balance. It recognises the need for education authorities to operate within their financial thresholds and to adopt policies which are coherent and complementary. **The “due regard” duty at section 3B of the 2000 Act does not take precedence over these matters but operates within that context.** It requires that education authorities explore how they might reduce inequalities in educational outcome for those who experience such inequalities due to socio-economic disadvantage, alongside their responsibilities to provide appropriate challenge, support and opportunities for all learners.

2.23. To further contextualise this, in terms of the balancing of priorities within and outwith education, education authorities retain the following duties:

- to ensure there is adequate and efficient provision of school education and further education, as provided for in section 1 of the Education (Scotland) Act 1980;
- to secure improvement in the quality of school education which is provided in the schools managed by them; and they shall exercise their functions in relation to such provision with a view to raising standards of education, as provided for in section 3(2) of the 2000 Act, and;
- to make arrangements which secure best value, as provided for in section 1 of the Local Government in Scotland Act 2003.

Defining “inequalities of outcome”

2.24. It is fully recognised that children and young people’s attainment and achievement will differ and it is important that our approach is flexible enough to ensure that every child is supported to achieve as highly as possible.

2.25. For the purposes of section 3B, “inequalities of outcome” is the term used to describe a measurable difference in the achievement and attainment of children who fall within groups which share certain characteristics and those who do not. The term “attainment” denotes educational performance and the acquisition of the valuable skills, knowledge and attributes needed to succeed in life. The term “achievement” refers to the totality of skills and attributes embedded within the four capacities of Curriculum for Excellence and developed across the curriculum in school and through learning in other contexts. Assessment of attainment includes evaluation of a range of evidence on what children and young people learn and achieve throughout their school career. This includes Curriculum for Excellence levels, skills, qualifications, other awards and wider achievement. It is recognised that not all ‘wider achievement’ is measureable, for example, voluntary work and participation in sport, the arts or other activities in the community.

Defining “socio-economic disadvantage”

2.26. The term “socio-economic disadvantage” describes disadvantage caused as a result of a combination of inter-related social and economic factors such as poverty as a consequence of low income, health, housing or education. Poverty is accepted to be the most common driver for socio-economic disadvantage.

2.27. In the context of the “due regard” duty included at section 3B of the 2000 Act, education authorities are expected to focus predominantly on addressing the challenges experienced by learners from disadvantaged communities and those who experience poverty. This is an important distinction to make as not all children and young people who experience poverty live in disadvantaged communities.

Children from disadvantaged communities

2.28. Disadvantaged communities are those with a range of problems which arise due to lack of resources or opportunities, covering income at source (low or no

income), health, safety, education, employment, housing, access to services and other personal circumstances or responsibilities. Children and young people from such communities are likely to suffer significant, sustained disadvantages as they grow up and as adults across some or all of these descriptors.

Other children who experience poverty

2.29. There are children and young people who do not live in disadvantaged communities but are nonetheless just as likely to suffer disadvantages across a number of financial, health and social outcomes. Such children and young people may live in communities that have sufficient or ample resource and opportunities but are unable to access them as a result of issues relating to poor health, safety, education, employment, housing and income that are specific to their household or family.

Approaches the education authority may take to fulfil its duties

Section 3B: Pupils experiencing inequalities of outcome – education authority’s duty to have “due regard”

2.30. **Ultimately, it is for individual education authorities to determine which processes require to be implemented in order to support them in fulfilling their “due regard” duty.** Those processes must support authorities in understanding the impact that their strategic decisions have (or are likely to have) on educational outcomes for those children and young people impacted by socio-economic disadvantage.

2.31. In reaching this view, the authority is expected to consider the range of available evidence which is relevant to the decision in question. That evidence should include data on the effectiveness of past improvement activity undertaken within the authority as set out in the reports authorities are required to produce under section 3H of the 2000 Act (see paragraphs 4.5 to 4.8). Further, it must take account of learning from individual school improvement planning processes as well as relevant evidence developed in other areas. It may also be the case

that evidence could emerge from other education authorities, or nationally through the National Improvement Framework and School Improvement Plan for example, to inform national discussion and which could be drawn upon, where that information is considered to be relevant to another education authority.

Potential sources of evidence

- The NIF – local and national annual plans/reports focussed on reducing inequalities of educational outcome and NIF implementation
- National Improvement Hub
- Local, national and international research
- Inspection and review findings
- Local authority self-evaluation/quality improvement processes
- School Improvement Plans and associated reports
- National initiatives
- Scottish Attainment Challenge²¹ – local and national evaluation
- Children and Young People Improvement Collaborative (CYPIC)²²
- Relevant Developing the Young Workforce Key Performance Indicators
- Partnerships with other public services, employers, academia and third sector
- Insight data and national dashboard measures
- Relevant information supplied by teacher trade unions
- Feedback and information from parents and pupils
- Corporate Parenting plans

Section 3B: Pupils experiencing inequalities of outcome – education authority’s duty to consult and have regard to views

2.32. The authority must also obtain evidence by seeking and having regard to the views of key partners when seeking to fulfil the “due regard” duty (see paragraph 2.11).

²¹ <http://www.educationscotland.gov.uk/inclusionandequalities/sac/index.asp>

²² <http://www.gov.scot/Topics/People/Young-People/early-years/early-years-collaborative>

- 2.33. Education authorities should work to further develop an understanding of the factors that give rise to inequalities of outcome arising from socio-economic disadvantage within their local context, and of how these can most effectively be addressed. The plans developed by education authorities should reflect how this understanding is being given effect, within the constraints arising from other legal responsibilities, organisational objectives and available resources (financial and otherwise) and will require the education authority to work with other services within the authority.
- 2.34. Education authorities will have to be able to evidence that they have fulfilled their “due regard” duty. This will be achieved, in part, through the preparation of annual plans and reports under sections 3F and 3H of the 2000 Act (see paragraphs 4.5 to 4.8). Authorities will also wish to consider how best they can demonstrate their efforts through the range of information and correspondence they produce on an on-going basis and any relevant planning and reporting documentation produced for scrutiny and improvement purposes.

Consultation methods

- 2.35. Education authorities are encouraged to use recognised good practice when engaging with communities. For example the [National Standards for Community Engagement](#) set out best practice principles for the way that government agencies, councils, health boards, police and other public bodies engage with communities. They are not compulsory, but are good practice and can help deliver the outcomes we wish to achieve. The Standards, first launched in 2005 were reviewed and updated in 2015/16 to complement and support Scotland's developing community empowerment landscape and in particular the implementation of the Community Empowerment (Scotland) Act 2015.

2.36. The [new revised National Standards for Community Engagement](#)²³ were [launched](#) in September 2016 and reflect the main elements of good community engagement - Inclusion, Support, Planning, Working Together, Methods, Communication and Impact. More information is available on the [VOiCE \(Visioning Outcomes in Community Engagement\)](#) website.

2.37. Education authorities should use a range of consultative methods to engage a wide range of partners from a variety of backgrounds (this must include those persons specified in section 3B(4) of the 2000 Act, see paragraph 2.11) from a variety of backgrounds, providing them with the support they need to participate in decision making processes. For example, the education authority may choose to involve the wider Parent Forum, as opposed to the Parent Council alone. They may choose different approaches to consulting the parents of pupils experiencing inequality of outcome, from those they might consider in consulting other stakeholder groups, particularly where such parents may lack confidence in engaging with the school or where parents have difficulty fully interacting with schools. The education authority will also wish to consider how they involve pupils in the development of their plans.

2.38. Education authorities may find it helpful to have cognisance of their three yearly plans produced under the Requirements for Community Learning and Development (Scotland) Regulations 2013²⁴ which require the inclusion of a variety of information relating to engagement with communities.

²³ <http://www.voicescotland.org.uk/>

²⁴ http://www.legislation.gov.uk/ssi/2013/175/pdfs/ssi_20130175_en.pdf

GUIDANCE – Chapter 3:

Delivering the priorities of the National Improvement Framework

Guidance made under section 13 of the Standards in Scotland's Schools etc. Act 2000

Summary of new education authority duties

To carry out the duty to secure improvement in quality of education, with a view to achieving the strategic priorities in the NIF (see section 3D of the 2000 Act)

- Education authorities must ensure the delivery of improvement activity within schools which is consistent with the strategic priorities of the NIF.
- The four strategic priorities of the NIF are:
 - Improvement in attainment, particularly in literacy and numeracy,
 - Closing the attainment gap between the most and least disadvantaged children and young people,
 - Improvement in children and young people's health and wellbeing, and
 - Improvement in employability skills and sustained, positive school leaver destinations for all young people
- Education authorities will have to be able to demonstrate how they have sought, and continue to seek, to deliver against the strategic priorities of the NIF. This is linked to the planning and reporting duties set out at chapter 4 of this statutory guidance.
- This duty supplements, rather than replaces, an existing duty on education authorities in section 3 of the 2000 Act (to deliver improvement in the quality of school education and to raise standards of education).

3. Introduction and context

3.1. As already stated at paragraph 2.1, the central purpose of this Government is to create a more successful country with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. Scotland's children and young people are our greatest asset and investing in their education is essential to ensuring their wellbeing as well as achieving their aspirations and our ambitions as a country.

3.2. The "National Improvement Framework for Scottish Education and Improvement Plan" was published on 13 December 2016 and set out the Scottish Government's vision for Scotland's children and young people's progress in learning:

- **Excellence through raising attainment:** ensuring that **every** child achieves the highest standards in literacy and numeracy, set out within Curriculum for Excellence levels, and the right range of skills, qualifications and achievements to allow them to succeed; and
- **Achieving equity:** ensuring **every** child has the same opportunity to succeed, with a particular focus on closing the poverty-related attainment gap.

3.3. Further, the NIF sets out the four **strategic priorities** we must focus on if that vision is to be realised:

- Improvement in attainment, particularly in literacy and numeracy;
- Closing the attainment gap between the most and least disadvantaged children and young people;
- Improvement in children and young people's health and wellbeing, and;

- Improvement in employability skills and sustained, positive school leaver destinations for all young people²⁵.

3.4. In focusing on strategic priorities through the NIF we seek to build on the success delivered through a series of key reforms including: Getting it right for every child, Curriculum for Excellence, investment and expansion of early learning and childcare provision, Teaching Scotland's Future, the Youth Employment Strategy²⁶. More specifically, the NIF represents a key strand of our response to the 2015 OECD review focussing on Scottish Education "Improving Schools in Scotland: An OECD Perspective". That review identified the need to develop an integrated Framework for assessment and evaluation which encompasses all system levels and ensures all partners are focused effectively on key priorities.

3.5. New section 3C of the 2000 Act (as inserted by section 2 of the 2016 Act) requires the Scottish Ministers to place the NIF on a statutory footing (the NIF being "a statement setting out the strategic priorities and objectives in relation to school education"). The first statutory NIF was published on 13 December 2016. The NIF is then to be reviewed annually and revised where necessary to reflect emerging trends and priorities within the education system²⁷. It is to provide evidence to help parents, teachers, education authorities and the Scottish Ministers better understand how children and young people are progressing at all stages of their education. That evidence will then be used to identify successes and areas where improvement is possible, both for individual children and for the education system as a whole. This model is consistent with the findings of the Commission on the Future Delivery of Public Services and the Scottish Government's approach to public service reform which called for greater emphasis on prevention and early, appropriate intervention to address emerging needs. Of course, some of those needs may be poverty or attainment related, in which case education authorities will wish to make links to wider local authority

²⁵ Scotland Performs 'sustained positive destinations' measure will be replaced by a new 'Participation' measure which will instead measure the proportion of young people participating in learning, training and work.

²⁶ <http://www.oecd.org/edu/school/improving-schools-in-scotland.htm>

²⁷ Section 3C(2) and (6) of the 2000 Act (as inserted into the 2000 Act by section 2 of the 2016 Act).

responsibilities under the Local Government in Scotland Act 2003, the Community Empowerment (Scotland) Act 2015 and so on, as adopting solely an education focus may not in itself be adequate in addressing such issues.

Duties the education authority must fulfil

3.6. Section 3D of the 2000 Act (as inserted by section 2 of the 2016 Act) introduces a requirement on education authorities to carry out their duty to ensure the delivery of improvement in the quality of school education which is provided in the schools they manage, with a view to achieving the strategic priorities of the NIF.

3.7. When education authorities are providing education, they must do so in a way which ensures it is directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential.²⁸

3.8. This duty, set out in section 2 of the 2000 Act, is consistent with Curriculum for Excellence which encourages an approach to learning whereby teachers and schools are empowered to develop and deliver a curriculum – a plan for learning – which is tailored to meet the needs and aspirations of each individual child. This model of learning is essential if we are to be successful in creating an education system which is capable of delivering for all learners.

Approaches education authorities may take to fulfil their duties

3.9. The duty included at section 3D supplements, rather than replaces, the existing duty on education authorities in section 3 of the 2000 Act to deliver improvement in the quality of school education and to raise standards of education. It achieves this by requiring that an identified set of strategic priorities as set out in the NIF be given particular focus when improvement activity is being undertaken locally. Whilst this targeted activity should not be to the detriment of all other

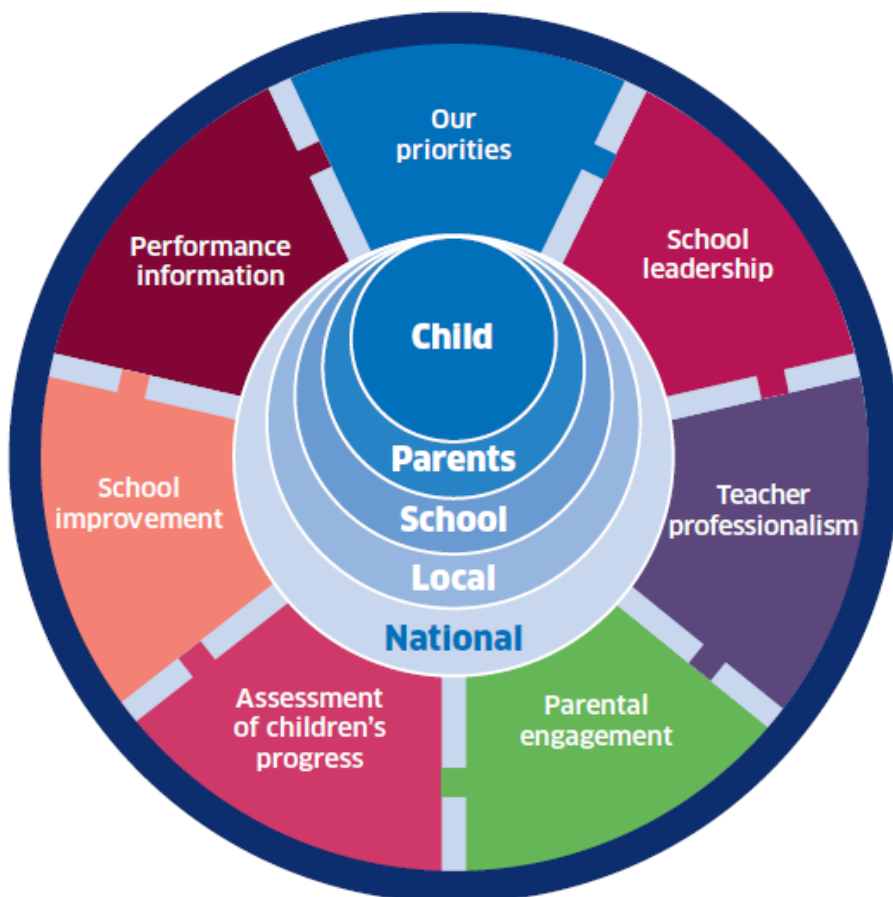
²⁸ As set out at section 2(1) of the 2000 Act.

improvement activity, section 3D recognises it is legitimate that action to deliver against these priorities be given a degree of precedence over other improvement activity.

3.10. The duty takes account of the wide range of factors which can ultimately influence the level of improvement achieved over a specified period of time. At least some of these factors will be outwith the control of an education authority.

3.11. The strategic priorities that education authorities will seek to achieve (see paragraph 3.3) are intentionally focused on outcomes for children and young people.

3.12. Of course, the NIF goes beyond simply identifying strategic priorities. It also identifies key drivers for educational improvement and the evidence which will be gathered to analyse whether progress is being made and where further improvements are required. Education authorities will wish to take account of these drivers and the evidence in undertaking their planning and reporting duties.



3.13. The drivers of improvement and the evidence to be gathered under each are designed to add value to the range of other improvement activity that will be taken forward by individual education authorities, tailored to meet the needs of individual communities. Education authorities are encouraged to consider evidence under all of the drivers as part of their improvement activity.

3.14. This process allows the Scottish Government to ensure a degree of consistency in our approach to educational improvement by identifying areas of common consideration for the benefit of pupils. At the same time, it continues to afford education authorities the flexibility and autonomy they need if they are to build on the successes and address the challenges which are particular to their area.

3.15. It is important that, when seeking to deliver improvement activity, education authorities take account of the full range of evidence available to them. That

evidence should include data on the effectiveness of past improvement activity undertaken across the authority area and wider improvement evidence.

3.16. Further, it should take account of learning from individual school improvement planning processes (see paragraphs 4.31 to 4.33) as well as evidence developed in other areas. Education authorities are encouraged to consider how they can expand the range of evidence available to them and to adopt an approach to improvement which recognises the central importance of data gathering and analysis, and broader evaluation activity.

Potential sources of evidence

- Achievement of CfE level data
- Scottish National Standardised Assessment data
- Insight data
- National Improvement Hub
- Local, national and international research
- Local and national annual plans/reports focussing on inequalities of outcome and the NIF
- Inspection findings
- Local authority self-evaluation/quality improvement processes, trends, changing profiles etc
- School Improvement Plans and self-evaluation reports
- National initiatives
- Scottish Attainment Challenge
- Children and Young People Improvement Collaborative (CYPIC)
- Local initiatives, such as family learning, training for young people etc
- Partnerships with other public services, employers, academia and the third sector
- Feedback and information from parents and pupils
- Pupils' learning plans and achievements
- Corporate Parenting plans and reports for looked after children and care leavers

3.17. While this is particularly relevant in the context of the new planning and reporting duties introduced through sections 3F and 3H of the 2000 Act (see paragraphs 4.5 to 4.8), it is important that planning for improvement is not viewed as a periodic exercise, driven solely through the development of annual planning and reporting documentation.

3.18. Whilst such plans/reports provide a useful opportunity to ensure (and demonstrate) that the correct arrangements are in place to deliver systemic and sustained improvement, they should not inhibit the ability of teachers, education authorities and others to identify opportunities for innovation on an on-going basis. **Further information on the process of effective improvement planning is set out at paragraphs 4.12 to 4.22 of this guidance.**

3.19. Education authorities will have to be able to demonstrate how they have sought, and continue to seek, to deliver against the strategic priorities of the NIF. This will be achieved, at least in part, through the preparation of annual plans and reports under section 3F and 3H of the 2000 Act. In addition, authorities will wish to consider how best they can demonstrate their efforts through the inclusion of relevant information in the range of information materials they produce on an on-going basis as well as any other relevant planning and reporting documentation produced for scrutiny and improvement purposes. Authorities are likely to:

- maintain a clear statement of their ambitions in relation to the key priorities within the NIF, and which reflects the local context;
- model in their own practice and ensure that educational establishments are successfully aligning self-evaluation and planning activities with the NIF;
- provide a cycle of activities which will raise standards, promote engagement, address the impact of deprivation and improve outcomes for all learners;

- maintain an agreed action plan which will focus on defining specific objectives, targets and measurable outcomes. It will incorporate milestones which will support a measuring of progress against agreed success criteria;
- consult with parents on the quality of their child's learning and provide opportunities for meaningful, relevant and child focused engagement in order to support parents to actively engage in their child's learning and progression, and;
- liaise with partners in evaluating the impact of intervention and improvement strategies.

GUIDANCE – Chapter 4:

Plans and reports

Guidance made under section 13 of the Standards in Scotland's Schools etc. Act 2000

Summary of new education authority duties

Education authority annual plans and report – NIF and reducing inequalities of outcome (see sections 3F & 3H of the 2000 Act)

- Education authorities must prepare and publish annual plans describing the steps they intend to take, during the planning period:
 - with a view to reducing inequalities of outcome experienced by pupils as a result of socio-economic disadvantage;
 - to comply with the duties imposed on it by section 3B(3) (to seek and have regard to the views of the persons listed in section 3B(4) and to provide any advice and support the authority thinks appropriate to those persons in relation to its consideration of decisions of a strategic nature about the carrying out of its functions relating to school education, and;
 - in pursuance of the NIF for Scottish education;
 - the plan must also set out any educational benefits the authorities consider will result from taking all of these steps.

- These plans must be published by the education authority before the beginning of the planning period each year. Education authorities must give a copy of the annual plan to Scottish Ministers as soon as reasonably practicable after publishing the plan.

- Where a new NIF has been published by the Scottish Ministers, education authorities must review and, where necessary, revise their annual plan. Any revised education authority plan must also be published and a copy given to Scottish Ministers as soon as reasonably practicable after publication.

- Education authorities must prepare and publish annual reports setting out the steps they have taken, over the course of the planning period:
 - with a view to reducing inequalities of outcome experienced by pupils as a result of socio-economic disadvantage;
 - to comply with the duties imposed on it by section 3B(3) (to seek and have regard to the views of the persons listed in section 3B(4) and to provide any advice and support the authority thinks appropriate to those persons in relation to its consideration of decisions of a

strategic nature about the carrying out of its functions relating to school education, and;

- in pursuance of the NIF for Scottish education;
 - the report must also set out any educational benefits for pupils that the authority considers have resulted from taking those steps.
- The education authority annual report must be given to Scottish Ministers as soon as reasonably practicable after publication.
 - **The legislation is intentionally silent on the format that annual plans/reports should take.**

School improvement planning – Headteacher annual plans and reports (see section 6 of the 2000 Act as amended by section 3(4) of the 2016 Act)

- “School development plans” are replaced by “school improvement plans” (SIPs) and must be produced on an annual basis, with the task being delegated from education authorities to individual Headteachers.
- The plans must be underpinned by consultation²⁹ with:
 - pupils;
 - any Parent Council or Combined Parent Council established for the school;
 - teachers employed in the school;
 - any volunteers working in the school;
 - local bodies representing teachers, volunteers and parents of pupils in attendance at the school.
- Education authorities are required to prepare annual SIPs and annual SIP reports. Section 8(2)(a) of the 2000 Act requires that the duty to prepare the SIP is delegated to headteachers of individual schools, and section 8(2)(b) allows for the delegation to headteachers of other management functions, which might include the duty to prepare the SIP report.
- The SIP must take account of the authority’s annual plan (or revised plan) prepared under section 3F and annual report prepared under section 3H (which detail work in pursuance of the NIF, steps to be taken and taken to reduce inequalities of outcome and likely or demonstrated educational benefits for pupils resulting from such steps), and its strategy for parental involvement prepared under new section 2(4A) of the Scottish Schools (Parental Involvement) Act 2006 (as amended by section 6 of the 2016 Act).

²⁹ The wording here reflects that of the legislation.

It should also set objectives for the school (including objectives as to the involvement of a pupil's parents in the education provided to the pupils and to the school's pupils generally) and it should contain a statement of the authority's ambitions for the school. Finally it should include a summary of the SIP.

- The SIP has to include an account of the ways in which, and extent to which, the headteacher of the school will consult the pupils in attendance at the school and seek to involve them when decisions require to be made concerning the everyday running of the school.
- The SIP report must be prepared twelve months after publication of the SIP, without unreasonable delay, and must set out what was done during that period to implement the SIP.

4. Introduction and context

Summary of planning and reporting processes

The various planning and reporting processes at school, education authority and national levels are designed to produce robust, consistent and transparent data across Scotland to improve our understanding of what works and, ultimately, drive improvement for the benefit of our children and young people. So, what does the legislation provide for and how does it all link together?

A key requirement of these processes is that the Scottish Ministers must publish a National Improvement Framework³⁰. The NIF sets out the four key priorities which all partners in the education system should be working to address. The first NIF was published in January 2016. The first statutory NIF under the 2000 Act was published on 13 December 2016.

Linked to the NIF, the Scottish Ministers and education authorities must publish annual plans and reports³¹ which focus on pursuing the four key priorities, which include reducing inequalities of outcome as a result of socio-economic disadvantage. Those plans and reports must be published prior to, and as soon as is possible following the end of, the planning period, respectively. A planning period is the relevant 12 months within which action is taken by the Scottish Ministers and education authorities in order to progress the objectives set out in their respective plans.

³⁰ Section 3C of the 2000 (as inserted by section 2 of the 2016 Act).

³¹ Sections 3E, 3F, 3G and 3H of the 2000 Act (as inserted by section 3 of the 2016 Act).

The first planning period for the Scottish Ministers commenced on 1 January 2017 and ends on 31 December 2017³². It is currently proposed that education authority duties will commence on 1 August 2017. That being the case, their first planning period will commence on 1 September 2017 and end on 31 August 2018. The first education authority plans will be published in August 2017 and their first reports will be published as soon as is possible following 31 August 2018 – the legislation does not set out a deadline or timescale for publication of these reports.

Feeding into the national and local level planning and reporting will be information provided through the school improvement planning process³³. Education authorities are required to delegate the carrying out of their duty to prepare the school improvement plan to Headteachers. While the timing of the 12 month planning period for the school improvement plan is not provided for in legislation, it will of course be subject to any local processes or procedures adopted by the education authority. Ultimately, it is the education authority which has responsibility for using this information as part of its planning and reporting duties. So, alignment of all of these processes, so far as is possible, will be important and beneficial.

4.1. A revised and improved approach to planning and reporting on educational improvement activity aims to improve:

- the quality and availability of information available to children and young people, parents and teachers.
- the quality of information available to support education authorities and Community Planning Partnerships in planning and delivering services.
- the quality of information available to support the development of national education policy;
- the coherence of the approach to planning and reporting across the education system as a whole.

4.2. In order to deliver against these four aims, clear and meaningful planning and reporting at school, education authority and national level must take place. The 2000 Act achieves this through the establishment of requirements on Ministers, education authorities and schools to plan and report on improvement activity.

³² <http://www.legislation.gov.uk/ssi/2016/373/made>

³³ Section 6 of the 2000 Act (as amended by section 3(4) of the 2016 Act).

- 4.3. Taken together, these planning and reporting arrangements will form a continuous coherent annual improvement cycle, providing a line of sight between national improvement activity and efforts to raise standards within individual schools and authorities.
- 4.4. Targeted planning and reporting linked to the duties covered in chapters 2 and 3 of this statutory guidance should be fulfilled in a way which complements other relevant planning and reporting regimes including, most notably, children's services planning, local outcome improvement planning and broader education authority standards and quality reporting. All of these planning processes are designed to improve outcomes for Scotland's population and promote a coordinated and evidence-led approach to the use of resources. It is therefore clear that each of these planning/reporting processes has the potential to enrich the other.

Duties the education authority must fulfil

- 4.5. Section 3 of the 2016 Act introduces sections 3F and 3H of the 2000 Act which place duties on education authorities to prepare annual plans and reports describing planned and past activity to i) reduce inequalities of educational outcome experienced by pupils as a result of socio-economic disadvantage, and ii) achieve the strategic priorities of the NIF.
- 4.6. Section 3F requires each education authority, before the beginning of the planning period each year, to prepare and publish an annual plan describing the steps they intend to take to reduce the inequalities of outcome experienced by pupils as a result of socio-economic disadvantage and the ways in which they will consult key partners when deciding how this should be achieved. The plan must also include the steps they intend to take during the planning period in pursuance of the NIF. Finally, the plan must set out any educational benefits they consider will result from taking these steps. Education authorities must give a copy of the annual plan to Scottish Ministers as soon as reasonably practicable after publishing the plan. Where a new NIF has been published, education

authorities must review and, where necessary, revise their annual plan. Any revised plan must be published and a copy given to Scottish Ministers.

4.7. Section 3H requires each education authority to prepare and publish an annual report setting out the steps they have taken to reduce the inequalities of outcome experienced by pupils as a result of socio-economic disadvantage and the ways in which they have consulted key partners when deciding how this should be achieved. The report must also the steps they have taken in pursuance of the NIF. The report must also set out any educational benefits for pupils that the authority considers results from taking those steps. **The education authority annual report must be given to Scottish Ministers as soon as reasonably practicable after publication. The legislation does not provide a specific deadline or timescale for the publication of these reports** other than to say, in section 3H, “As soon as reasonably practicable after the end of the period to which a plan published under section 3F(1) relates, each education authority must prepare and publish a report setting out for that period...”

4.8. Section 3 of the 2016 Act also amends section 6 of the 2000 Act (as amended by section 3(4) of the 2016 Act) and places a duty on education authorities to produce annual improvement plans and reports describing past and planned activity to secure improvement within schools. The 2000 Act requires this duty to be delegated to Headteachers. Those plans must take account of the relevant education authority plan and report produced under sections 3F and 3H and of the strategy for parental involvement under section 2 of the Scottish Schools (Parental Involvement) Act 2006.

Planning period (education authorities)

4.9. The planning period for the purposes of section 3F(1) (education authority planning period) is defined in section 3F(4) as the period of 12 months beginning with such day as the Scottish Ministers prescribe by regulations. The planning period for Ministers runs from 1st January to 31st December in any given year, and it is proposed that it will run from from 1st September to 31st August for education authorities. While regulations will prescribe particular points in the

year for the planning period, which will then drive the publication of plans and reports, the expectation is that education authorities should be seeking to continuously improve, regularly collating and analysing the information it has to hand in the fulfilment of its duties.

4.10. Education authorities will wish to note that the “planning period” is the terminology used in the 2000 Act as amended by the 2016 Act. In practice, the planning period will be a 12 month period of implementation where Ministers and education authorities will implement their respective plans which they have published prior to the commencement of that period. So, it is actually a period of activity rather than a period for planning solely. The intention is to commence education authority duties in August 2017. Therefore, their first plan would be published on or after the 1 August 2017 but prior to commencement of their 12 month statutory planning period, currently planned for 1 September.

4.11. The timings proposed are intended to draw upon existing education authority development planning processes (which are to be replaced by school improvement planning, see paragraph 4.31 of this guidance). These suggest that schools undertake their planning processes anywhere between January and April/May with plans signed off by education authorities between around May and August time. The proposed timings are therefore intended to enable education authorities to work efficiently and reduce burden by using information which already exists to inform the NIF annual planning and review process led by the Scottish Ministers.

Approaches education authorities may take to fulfil their duties

The planning and reporting process

4.12. Planning for educational improvement should be viewed as a continuous process, within which the preparation of an annual plan and corresponding report are discrete elements. The process of planning should inform and underpin decisions relating to local organisational structures, investment,

interventions and commissioning; all of which should be based on the range of available evidence.

4.13. Partners can prove a valuable source of evidence and it is important that they are given the opportunity to inform and influence an education authority's approach to improvement. Accordingly, authorities are encouraged to conduct their planning in as inclusive and collaborative a fashion as possible and to use recognised good practice when consulting, building on the new, revised National Standards for Community Engagement³⁴.

4.14. This involves using a range of methods to engage a wide range of partners from a variety of backgrounds, providing them with the support they need to participate in the planning process.

4.15. The 2016 Act is intentionally silent on the model to be adopted by education authorities when planning for future improvement activity. However, **any model adopted must operate with specific reference to the strategic priorities and drivers for improvement which are set out in the NIF** and be in a position to provide information to support the evidence base. It may be helpful for education authorities to refer to an example of a 3 step improvement framework for Scotland's public services which provides guiding principles to help achieve improvement³⁵.

4.16. It is generally recognised that good improvement activity involves a number of discrete but closely related processes:

Analyse	Undertake a detailed assessment of the current position. This will be achieved (in part) through the preparation of annual reports under section 3H of the 2000 Act.
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³⁴ <http://www.voicescotland.org.uk/>

³⁵ <http://www.gov.scot/Topics/Government/PublicServiceReform/Improvementframework>

Plan	<p>Establish a clear vision of what will be achieved by the end of the planning period, setting priorities and objectives with clear reference to:</p> <ul style="list-style-type: none"> • the strategic priorities of the NIF; • the need to reduce inequalities of outcome experienced by pupils as a result of socio-economic disadvantage; • broader children’s services planning and community planning objectives; • data from the Children and Young People Improvement Collaborative (CYPIC), and; • Scotland’s National Outcomes.
Do	<p>Agree which activities will be delivered in order to realise that vision. Decide how those activities will be resourced, with reference to planned national activity being taken forward under the NIF’s key priorities for improvement.</p>
Review	<p>Monitor progress through a structured process of evidence-based review and development, including through the preparation of an annual report under section 3H of the 2000 Act.</p>

4.17. As noted above, effective analysis and review of past activity is central to effective strategic planning. Education authorities will be expected to draw on their full range of available evidence to reach conclusions about the effectiveness of past improvement activity in their area, including:

- Progress being made by particular groups for example; children and young people who have Additional Support Needs, including those with social and emotional behavioural difficulties, those who are young carers and those who have English as an Additional Language, or are looked after children and young people;
- Senior phase: qualifications and the proportion of young people in learning, training and work;
- Achievement of CfE level data, particularly in literacy and numeracy;

- Scottish national standardised assessment data: progress in literacy and numeracy, in particular;
- Other locally available assessment data;
- Childhood development data (e.g. 27-30 month Child Health Review);
- Other child and maternal health-related data (e.g. smoking during pregnancy);
- Availability, uptake and evidence of success of early intervention programmes (e.g. parenting programmes, adult literacy classes, etc);
- Data relating to wider achievement;
- Statistical data relating to attendance, absence and exclusions (including uptake of early learning and childcare);
- Staff qualifications and skills;
- Health and wellbeing statistical data;
- Local labour market data;
- Scottish Index of Multiple Deprivation data;
- School inspection findings;
- Careers Information Advice and Guidance review findings;
- Outputs from college reviews (whether local authority colleges or other);
- Outputs from school improvement planning and self-evaluation activity;
- Outputs from local authority quality assurance and self-evaluation activity;
- Outputs from Parent Council involvement in school improvement planning;
- Feedback from pupils via the pupil council or other collaborative methods to draw in pupil views on the totality of their school experience;
- Parental surveys, informal methods to gather parent views as well as the more formal routes via the Parent Council;
- Discussions with teacher trade unions representatives, and;
- Corporate Parenting plans and reports.

4.18. Education authorities are encouraged to continuously consider how they can enhance the range of data and evidence available to them. Authorities should consider any short, medium and long term trends demonstrated through available data and should seek to draw conclusions and highlight any variations in outcomes experienced by disadvantaged pupils when compared with their peers.

4.19. One such source of evidence may be Insight, the senior phase benchmarking tool developed by the Scottish Government and partners, accessible online by secondary schools and education authorities since September 2014. It supports self-evaluation and professional dialogue, by providing schools with their attainment and destinations information in a format that assists data-led enquiry to identify possible areas for improvement for young people. This data is linked to Pupil Census and attainment information to allow benchmarking on a range of key measures. The leavers-based measures allow schools and education authorities to look at overall attainment, literacy and numeracy, and course-level data, in the context of deprivation and destinations.

4.20. Importantly, education authorities should seek to establish not only whether improvement has been secured and inequalities of outcome reduced, but also how that has been achieved. Adopting this approach will allow education authorities to:

- more effectively target future improvement activity;
- share good practice across their authority area and with other education authorities, and;
- inform the identification and delivery of improvement activity at the national level.

4.21. Authorities should consider the effectiveness of the procedural and administrative steps adopted to support them in i) reducing inequalities of outcome linked to socio-economic disadvantage; and ii) achieving the strategic priorities of the NIF. Finally, authorities should consider the effectiveness of their approach to engaging partners in their efforts to fulfil these duties.

4.22. When planning future improvement activity, education authorities should also take account of the effectiveness of measures adopted by partners elsewhere in the country as well as any emerging national and international good practice. Sources of evidence may include:

- annual plans and reports produced by Scottish Ministers under sections 3E and 3G of the 2000 Act;
- emerging evidence from other education authorities and national change programmes;
- emerging learning captured through the National Improvement Hub, and;
- other relevant national and international research.

4.23. Drawing on the above will complement existing approaches to strategic planning. It will allow education authorities to ensure that all future improvement activity is based on a sound, evidence-based understanding of local strengths and weaknesses and on the effectiveness of local, national and international interventions which have the potential to support the strategic priorities of the NIF and improve outcomes for children and young people impacted by socio-economic disadvantage.

4.24. Planning and reporting on reducing inequalities of outcome, pursuing the priorities in the NIF will of course form part of a wider public service planning and reporting landscape. There will be clear links to a broad number of strategic multi-agency planning processes, including (but not limited to):

- **Local Outcomes Improvement Plans** required under section 6 of the Community Empowerment (Scotland) Act 2015;
- **Children’s Services Planning** required under section 8 of the Children and Young People (Scotland) Act 2014, and;
- **Community Learning and Development** under the Requirements for Community Learning and Development (Scotland) Regulations 2013.

4.25. There will also be clear links to more targeted local plans designed to strengthen provision for particular groups of children and young people, including for example:

- **Education authority standards and quality reports** provided for through section 7 of the 2000 Act;
- **Corporate parenting plans** required under Part 9 of the Children and Young People (Scotland) Act 2014, and;
- **Early learning and childcare plans** required under Part 6 of the Children and Young People (Scotland) Act 2014.

4.26. Whilst there is some variation in the planning periods/cycles associated with some of the above mentioned processes, there is nothing to prevent education authorities from seeking to use these existing structures to satisfy their planning/reporting duties under sections 3F and 3H of the 2000 Act. It is for individual education authorities to decide whether, and if so, how best to link these planning and reporting requirements, reflecting local circumstances and need.

4.27. Similarly, education authorities retain their separate duties in relation to the promotion of equal opportunities (section 3I of the 2000 Act as inserted by section 3(2) of the 2016 Act), parental involvement (sections 2 and 2A of the Scottish Schools (Parental Involvement) Act 2006) and promotion of health (section 2A of the 2000 Act). Authorities will wish to explore the scope for developing an integrated approach to meeting those wider planning and reporting duties in a coherent and joined up way with the new duties imposed by the 2016 Act.

Format of plans/reports

4.28. All plans/reports must be published in order to facilitate the sharing of good practice, to support local scrutiny and to enhance the education authority's accountability to the communities it serves. At the same time, the publication should be submitted to Scottish Ministers with a view to informing national activity to deliver improvement.

4.29. Analysing past activity is central to effective strategic planning. This guidance recognises the clear links which exist to other key strategic planning processes in which the education authority is involved. As already mentioned, there is nothing to prevent education authorities from seeking to use those existing planning and reporting structures (and associated publications) to fulfil their planning/reporting duties under sections 3F and 3H of the 2000 Act.

4.30. The 2000 Act is intentionally silent on the format that annual plans/reports should take. Education authorities are encouraged to consider formats where priorities and objectives are clear and measurable, and where the rationale behind them is explicit and evidence based. Any plan/report must demonstrate:

- clear links to the strategic priorities and drivers for improvement established through the NIF;
- the need to reduce inequalities of outcome experienced by pupils as a result of socio-economic disadvantage;
- alignment with broader children’s services planning and community planning objectives, and;
- clear links to Scotland’s National Outcomes.

School improvement planning

4.31. The process of statutory school improvement planning is provided through section 6 of the 2000 Act (as amended by sections 3(3) and 3(4) of the 2016 Act³⁶). Section 6 requires education authorities to prepare school improvement plans, as opposed to school development plans (the preparation of which is delegated to individual school Headteachers by section 8 of the 2000 Act). The school improvement plan must now take account of the authority’s annual plan

³⁶ Section 3(5) of the 2016 Act amends section 7 of the 2000 Act to require authorities in defining measures and standards of performance for the purposes of carrying out a review of school performance, to take account of the Framework and the annual plan published by the authority under section 3F of the 2000 Act. Section 3(6) of the 2016 Act makes consequential amendments to section 8 of the 2000 Act to refer instead to “school improvement plan” and section 3(7) replaces the definition of “school development plan” with a definition of “school improvement plan” in section 58(1) of the 2000 Act.

(or revised plan) under section 3F of the 2000 Act, its annual report under section 3H of the 2000 Act and its strategy for parental involvement under section 6 of the Scottish Schools (Parental Involvement) Act 2006. Section 6 requires that school improvement plans (“SIP”) be produced on an annual basis and those plans must be underpinned by consultation with:

- pupils;
- any Parent Council or Combined Parent Council established for the school;
- teachers employed in the school;
- any volunteers working in the school, and;
- local bodies representing teachers and parents of pupils in attendance at the school.

4.32. The SIP should describe intended activity to be undertaken within the school in the coming year for the purpose of securing improvement in the quality of education being provided. Section 6(1)(a) of the 2000 Act (as amended by section 3(4) of the 2016 Act) requires that such activity be identified with reference to the relevant education authority’s latest annual plan and report (see paragraphs 4.5 to 4.8) and its latest parental involvement strategy (required by section 2 of the Scottish Schools (Parental Involvement) Act 2006) as amended by section 6 of the 2016 Act. SIPs must also set out how pupils are to be involved in decisions relating to the operation of the school.

4.33. A corresponding SIP report will be produced annually describing the action taken to implement the SIP. The majority of education authorities in Scotland already produce annual ‘Standards and Quality’ reports. These Standards and Quality reports fulfill the existing duty under section 6(4) of the 2000 Act to prepare a report as to what was done to implement the school development plan. In effect, the SIP annual report becomes part of this existing process, it is just the case that additional information (see paragraph 4.31) will need to be reported against. Summaries of the SIP and corresponding annual SIP report must be provided to parents and pupils and made available to other individuals on request. Education authorities may wish to consider the option of developing

pupil and parent friendly versions of their SIP. In every instance they should seek to ensure that their SIP is clear, straightforward and accessible to staff, pupils, parents and community partners. Full versions of the SIP and SIP report must be made available to parents and pupils on request.

Planning period (schools)

- 4.34. Whilst SIPs (and their corresponding SIP reports) must be produced on an annual basis, there is no statutory “planning period” associated with this process. As has previously been possible, local authorities are required to delegate the carrying out of their duty to prepare the school improvement plan to Headteachers. While the timing of the 12 month planning period for the School Improvement Plan is not provided for in legislation, it will of course be subject to any local processes or procedures adopted by the education authority. Ultimately, it is the education authority which has responsibility for using this information as part of its planning and reporting duties. So, alignment of all of these processes, so far as is possible, will be important and beneficial.
- 4.35. Practice dictates that such plans and reports tend to be developed within the first, in some cases the second, quarter each calendar year and published in time for the start of the subsequent school year. Whilst not a legal requirement, individual schools and education authorities are encouraged to continue operating on this basis. In doing so, Headteachers will consider Working Time Agreements as part of SIP planning for their schools in order to avoid overly burdensome or bureaucratic practice being adopted and to ensure that the improvement activities identified within SIPs are able to be fully resourced and to be delivered within teachers’ working time. Part 2 of the Scottish Negotiating Committee for Teachers (SNCT) Handbook, appendix 2.1.8 provides further detail on how that can be achieved³⁷. Headteachers should also put into practice recommendations from the Scottish Government’s Curriculum for

³⁷ http://www.snct.org.uk/wiki/index.php?title=Table_of_Contents

Excellence Working Group on Tackling Bureaucracy³⁸ which contain, amongst other matters, a range of examples from schools and education authorities on how they are tackling bureaucracy in four key areas of concern: forward planning; assessment; self-evaluation and improvement processes; and monitoring and reporting. Additionally, the Scottish Government's Working Group on Assessment and Qualifications produced a report setting out a range of actions to reduce teacher workload³⁹. Furthermore, Education Scotland has published guidance⁴⁰ in response to the findings of the Assessment and Qualifications report which Headteachers may wish to draw upon in putting together their SIPs.

The planning and reporting process

4.36. School self-evaluation and improvement should be viewed as an on-going and collaborative process, with the annual school improvement planning and reporting cycle featuring prominently. *How good is our school? 4TH edition (HGIOS? 4)*, as well as those concerning *Early Learning and Childcare* and *Community Learning and Development*, are toolkits for schools to use to engage in evidence-based analysis of what is working well and what needs to improve within their establishment. Headteachers should use that framework to inform the content of SIPs. They may also wish to bear in mind the Career Education Standard which contains a number of entitlements. In addition, they will wish to bear in mind the requirement to involve parents, as set out in the Scottish Schools (Parental Involvement) Act 2006⁴¹ and associated statutory guidance⁴². Reference to the Education (School and Placing Information) (Scotland) Regulations 2012⁴³ may also be helpful as part of this process.

³⁸ <http://www.gov.scot/Topics/Education/Schools/CfEtacklingbureaucracygroup>

³⁹ <http://www.gov.scot/Topics/Education/Schools/WorkingGrouponAssessmentandNQs>

⁴⁰

<http://www.educationscotland.gov.uk/learningandteaching/thecurriculum/whatiscurriculumforexcellence/keydocs/letterandguidance2016.asp>

⁴¹ http://www.legislation.gov.uk/asp/2006/8/pdfs/asp_20060008_en.pdf

⁴² <http://www.gov.scot/resource/doc/148166/0039411.pdf>

⁴³ <http://www.legislation.gov.uk/ssi/2012/130/made>

- 4.37. HGIOS? 4 recognises the central importance of analysing past activity and wider evidence as part of effective improvement planning. The process of preparing plans and reports should therefore form part of a single improvement planning exercise. In this regard, the Career Information Advice and Guidance Framework also reflect many of the HGIOS? 4 Quality Indicators and Headteachers may find it useful to also refer to this.
- 4.38. It is important that SIPs form part of a coherent approach to raising standards at all levels within the education system and that they reflect and address NIF priorities. In applying the NIF, schools must explore how their own plans can complement improvement activity across their education authority. This will involve (but not be limited to) reviewing the relevant education authority annual plan and report, having cognisance of community planning approaches and local/regional colleges and Skills Development Scotland operations.
- 4.39. Before publishing their SIP, Headteachers are encouraged to consider whether it requires to be supplemented or revised to take account of any new activity or evidence set out in their education authority's updated annual plan/report (see paragraphs 4.5 to 4.8) which will usually be published to coincide with the start of the school year.
- 4.40. Headteachers may find it helpful to consider the following challenge questions when preparing their SIP:
- **Using the features of highly effective practice and the challenge questions within HGIOS? 4, what overarching conclusions can be drawn about our school's strengths and aspects for development?**
 - **How well placed is our school to deliver the strategic priorities of the National Improvement Framework?**
 - **Building on the NIF drivers for improvement, which aspects of our school's approach to learning need to be strengthened in the coming year if we are to deliver both excellence and equity?**

- **What evidence can I draw on to support us in identifying the most appropriate interventions for our learners and staff in the coming year?**
- **How can our school benefit from authority-wide improvement activity?**
- **How can we ensure that learners and parents play a central role in the life of our school over the coming year?**
- **How can we ensure that our partners make a valuable contribution to the development of children and young peoples' employability skills?**
- **How well do we support parents to become actively involved in their child's learning and progression?**

4.41. Answering the above challenge questions should support Headteachers in developing a SIP which provides a holistic picture of the improvement activity required across their school in a given year, with the NIF placed at its core. Reference to a number of challenge questions contained within HGIOS? 4 may also be helpful to Headteachers in developing their SIP. Finally, Headteachers might want to consider how they can remove barriers to participation in education that could undermine children's experience of school, learning or progression.

Format of plans and reports

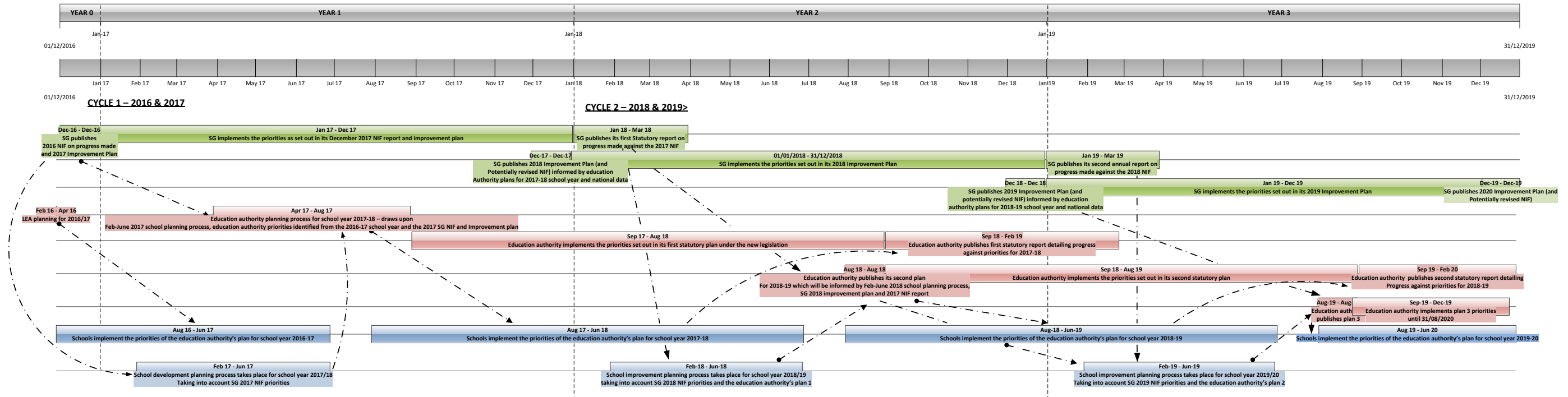
4.42. HGIOS? 4 recognises the central importance of analysing past activity and wider evidence as part of effective improvement planning. In line with this principle, schools are encouraged to fulfil their duties to produce annual SIPs and corresponding SIP reports through the preparation of a single publication should they wish.

4.43. It is for individual Headteachers, working in partnership with their education authority, to identify the preferred format for their SIP. Whichever format is adopted, Headteachers are encouraged to set out priorities and objectives which

are clear and measurable, and where the rationale behind them is explicit. Clear links should be made to:

- the need to reduce inequalities of outcome experienced by children and young people as a result of socio-economic disadvantage;
- the Strategic Priorities of the NIF;
- the key drivers for improvement which are set out in the NIF;
- any objectives identified and agreed by the education authority with a view to supporting school improvement;
- planned steps to improve outcomes, and;
- the Quality Indicators set out in *HGIOS? 4*.

ANNEX A – PLANNING AND REPORTING TIMELINE



Please see chapter 4 of the draft statutory guidance when considering this indicative timeline.

This timeline attempts to present the planning and reporting cycle over its first four years. It is thought that it will take this kind of time period to make the transition from having information available under current planning and reporting arrangements to having that under the new planning and reporting processes as introduced to the 2000 Act by the Education (Scotland) Act 2016.

Prior to 2018, education authorities will still be reporting, either wholly or partially, against plans that were made, and information that was available, in previous years. It is only from 2019 (cycle 2) that education authorities will be able to produce plans and reports based solely on data, information and priorities published/required by the Scottish Government under the Education (S) Act duties. In summary, information from year 1 (2017) will inform planning and reporting for year 3 (2019).

Following these first transitional four years, planning, reporting and implementation should fall into regular cycles which should take around two years to complete. For example, when national priorities are set, schools will then have to take account of this during school improvement planning for the next school year and it will take a school year of activity before the outcome of the implementation of those national priorities will be available.

The expectation is that plans will be laid in the month before planning periods commence. **Reports must be laid as soon as is practicable following the end of the planning period.** This timeline, in suggesting a timeframe for publishing reports, attempts to take account of existing current local authority analysis and reporting processes and timescales for sign-off by the authority (for example, analysis of SQA data, insight data) in order to, so far as is possible, avoid duplication of effort. It is acknowledged that at the time of planning and reporting, some information may not be completely up to date.

ANNEX B – PLANNING AND REPORTING TABULAR TIMELINE

	Remainder 2016	January to June 2017	July to December 2017	January to June 2018	July to December 2018	January to June 2019	July to December 2019	January to June 2020
Scottish Government	<p>August – commence 2016 Act duties on Scottish Ministers</p> <p>December – (following consultation) publish 2017 SG improvement plan and first statutory National Improvement Framework</p> <p>December – publish 2016 NIF report on progress made</p>	<p>Implements the priorities set out in SG 2017 NIF and improvement plan</p> <p>March – publish statutory guidance on 2000 Act new duties</p>	<p>Continued SG implementation of the priorities set out in its 2017 NIF and improvement plan</p> <p>Review of 2017 NIF, in consultation with stakeholders</p> <p>December – publish 2018 SG improvement plan (and potentially a revised NIF) informed by education authority plans for 2017-18 school year and national data.</p>	<p>Implements the priorities set out in SG 2018 improvement plan</p> <p>January – publish 2017 NIF report on progress made (including new statutory reporting requirements under 2016 Act).</p> <p>The 2017 NIF report will report on progress against priorities during the 2016-17 school year and will not report against the priorities set out in the 2017 improvement plan as they would not have been implemented within schools for a full school year by that time.</p>	<p>Continued SG implementation of the priorities set out in its 2018 improvement plan</p> <p>Review of 2018 NIF, in consultation with stakeholders</p> <p>December – publish 2019 SG improvement plan (and potentially a revised NIF) informed by education authority plans for 2018-19 school year and national data.</p>	<p>Implements the priorities set out in SG 2019 improvement plan</p> <p>January – publish 2018 NIF report on progress made.</p> <p>The 2018 NIF report will report on progress against priorities during the 2017-18 school year and will not report against the priorities set out in the 2018 improvement plan as they will not have been implemented within schools for a full school year by that time.</p>	<p>Continued SG implementation of the priorities set out in its 2019 improvement plan.</p> <p>Review of 2019 NIF, in consultation with stakeholders</p> <p>December – – publish 2020 SG improvement plan (and potentially a revised NIF) informed by education authority plans for 2019-20 school year and national data.</p>	<p>Implements the priorities set out in SG 2020 improvement plan</p> <p>January – publish 2019 NIF report on progress made.</p> <p>The 2019 NIF report will report on progress against priorities during the 2018-19 school year and will not report against the priorities set out in the 2019 improvement plan as they will not have been implemented within schools for a full school year by that time.</p>
Local authorities	<p>Implementation of local plan's and priorities for the 2016-17 school year based on "school development" and other planning at school and local authority level and 2016 NIF priorities.</p>	<p>Continued education authority implementation of local plan's and priorities for 2016-17 as per existing processes.</p> <p>From March plan for new duties under 2000 Act.</p> <p>April to July – education authority planning process for school year 2017-18 takes place.</p>	<p>August – new education authority duties under the 2000 Act, as amended by the 2016 Act, commence.</p> <p>August - publish local plan and priorities for school year 2017-18. This will be the first statutory plan under the new legislation</p> <p>Implementation of the priorities set out in its first statutory</p>	<p>Continued education authority implementation of the plan and priorities within schools for the school year 2017-18.</p> <p>April to July – education authority planning process for school year 2018-19 is undertaken.</p> <p>This planning process will draw on the Feb-June 2018 school planning process and will</p>	<p>August – publish second statutory plan and priorities under the new legislation for school year 2018-19. This plan will be informed by the Feb-June 2018 school improvement planning process. It will also take into account priorities from the SG 2018 improvement plan and 2017 NIF report.</p> <p>Education authority implements the</p>	<p>Continued education authority implementation of the plan and priorities within schools for the school year 2018-19.</p> <p>April to July – education authority planning process for school year 2019-20 is undertaken.</p> <p>This planning process will draw on the Feb-June 2019 school planning process and will</p>	<p>August – publish third statutory plan and priorities under the new legislation for school year 2019-20. This plan will be informed by the Feb-June 2019 school improvement planning process. It will also take into account priorities from the SG 2019 improvement plan and 2018 NIF report.</p> <p>Education authority implements the priorities set out in</p>	<p>Continued education authority implementation of the plan and priorities within schools for the school year 2019-20.</p> <p>April to July – education authority planning process for school year 2020-21 is undertaken.</p> <p>This planning process will draw on the Feb-June 2020 school planning process and will</p>

		This planning process will draw on the Feb-June 2017 school planning process and will include progress against priorities identified in the education authority plan for the 2016-17 school year. It will also take account of the statutory guidance and the 2017 SG improvement plan and NIF.	plan covering the period between 1 September 2017 and 31 August 2018.	include progress against priorities identified in the education authority plan for the 2017-18 school year. It will also take account of the statutory guidance and the 2018 SG improvement plan and NIF.	priorities set out in its second statutory plan covering 1 September 2018 and 31 August 2019. September to December - analyse outcome of implementing its first statutory plan and publishes report as soon as reasonably practicable after 31 st August. This report will detail progress against the priorities set out in the plan covering school year 2017-18. (This is an indicative timescale to reflect existing education authority reporting and internal clearance processes).	include progress against priorities identified in the education authority plan for the 2018-19 school year. It will also take account of the statutory guidance and the 2019 SG improvement plan and NIF. To end Feb - education authority may still be in process of analysing outcome of implementing its first statutory plan and publishing report as soon as reasonably practicable after 31 st August	its third statutory plan covering 1 September 2019 and 31 August 2020. September to December - analyse outcome of implementing its second statutory plan and publishes report as soon as reasonably practicable after 31 st August. This report will detail progress against the priorities set out in the plan covering school year 2018-19. (This is an indicative timescale to reflect existing education authority reporting and internal clearance processes).	include progress against priorities identified in the education authority plan for the 2019-20 school year. It will also take account of the statutory guidance and the 2020 SG improvement plan and NIF. To end Feb - education authority may still be in process of analysing outcome of implementing its second statutory plan and publishing report as soon as reasonably practicable after 31 st August
Schools	Implement the priorities of the education authority's plan for the school year 2016-17.	Continued implementation of the priorities of the education authority's plan for the school year 2016-17. February to June – Development of school plans under section 6(4) of the 2000 Act, taking account of the 2017 NIF priorities	Implement the priorities of the education authority's plan for the school year 2017-18.	Continued implementation of the priorities of the education authority's plan for the school year 2017-18. February to June – school improvement plans to be prepared and published under amended section 6 of the 2000 Act. The key change from school development plans is that these improvement plans must now take account of the education authority's annual plan (or revised annual plan)	Implement the priorities of the education authority's plan for the school year 2018-19.	Continued implementation of the priorities of the education authority's plan for the school year 2018-19. February to June – development and publication of school improvement plans.	Implement the priorities of the education authority's plan for the school year 2019-20.	Continued implementation of the priorities of the education authority's plan for the school year 2019-20. February to June – development and publication of school improvement plans.

				under new section 3F of the 2000 Act, its annual report under new section 3H of the 2000 Act and its strategy for parental involvement under section 6 of the Scottish Schools (Parental Involvement) Act 2006.				
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ANNEX C – GUIDANCE NOTE ON LOCAL AUTHORITY REPORTING

Meeting the reporting requirements of the National Improvement Framework

A guidance note

1. Introduction

The Scottish Government launched the National Improvement Framework for Scottish education in January 2016. The Framework is central to the Scottish Government's commitment to raising attainment for all, and closing the poverty-related attainment gap.

The Education (Scotland) Act 2016 Act placed the National Improvement Framework (NIF) on a statutory footing and introduced requirements for local authorities and schools to plan and report on the measures that they are taking to address the key priorities of the NIF.

Statutory guidance has been developed to support the introduction of these legislative duties (the draft guidance can be found at: <http://www.gov.scot/Topics/Education/Schools/NationalImprovementFramework/StatutoryGuidance>). The statutory guidance provides an overview of the planning and reporting requirements placed on local authorities and schools through the introduction of the NIF.

This note supplements the statutory guidance and provides some additional, specific information that local authorities and schools *may* wish to consider when preparing plans and reports of their work to address the National Improvement Framework key priorities. This further guidance note does not form part of the statutory guidance and it is entirely a decision for local authorities as to whether they choose to use it or not.

This note seeks to place the planning and reporting requirements relating to the NIF in the wider context of planning and reporting for school improvement, in order to help local authorities and schools develop a simple but coherent approach to planning and reporting. It is recommended that this guidance note should be read in conjunction with the statutory guidance. It will be for local authorities to satisfy themselves that they are fulfilling their legal obligations.

It should be noted that this guidance note will be reviewed regularly and may be subject to future amendment – please bear this in mind if printing hard copies.

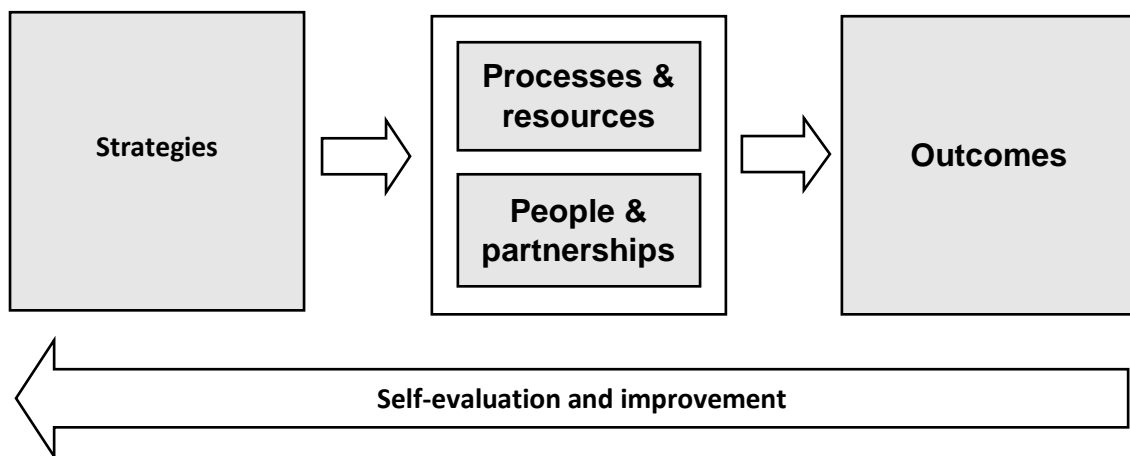
Further useful guidance that may be of interest includes:

- Driving Excellence and Equity: Advice on School Improvement Planning 2017/18. This resource has been developed by Education Scotland to provide essential advice and support about how partnership can work constructively, to create a meaningful improvement plan. This resource can be found at: [National Improvement Framework: Improvement planning and reporting poster | Self-evaluation | National Improvement Hub \(education.gov.scot\)](#).

2. Context: the basis of improvement for Scotland's schools

HGIOS 4 is the model for self-evaluation and improvement in Scotland's schools. It is based on the EFQM (the European Foundation for Quality Management) Excellence Model and provides schools with a framework to describe:

- The **strategies** that they have adopted to improve educational outcomes for children and young people.
- The **processes & resources** that are in place to deliver these strategies – and the **people & partnerships** involved in their delivery.
- The **outcomes** that are being achieved for children and young people through this work.



Self-evaluation allows the success of these key elements to be understood and provides the basis for effective **improvement**.

This basic model of improvement underpins other aspects of quality improvement for children's services in Scotland, including:

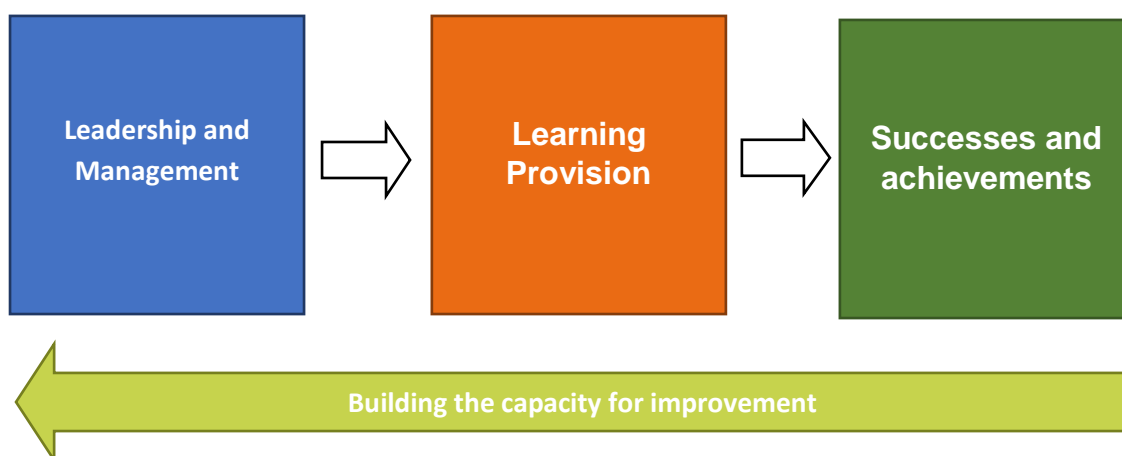
- Quality Management in Education (QMIE), the model for self-evaluation and improvement of education services at a local authority level.
- The framework for Joint Inspection of Services for Children and Young People: How Well are We Improving the Lives of Children and Young People? (see: <http://www.careinspectorate.com/index.php/joint-inspections/services-for-children>)

Use of the EFQM Excellence Model, and the models of improvement derived from it, enables schools and local authorities to:

- Assess where they are on the path to excellence.
- Provide a common vocabulary and way of thinking about the organisation.
- Integrate existing and planned initiatives, removing duplication and identifying gaps.
- Provide a basic structure to benchmark, review and measure progress, and provide the intelligence to plan further action .

3. The connection between HGIOS 4 and the National Improvement Framework

The HGIOS 4 Quality Indicators are based closely on the EFQM model, but describe the various key elements in terms that relate more closely to the school context.



The National Improvement Framework does not seek to replace this approach to school improvement. Rather, it provides a clear focus on the key issues that, as a country, Scotland needs to address. These are the four **key strategic priorities**, which are nothing other than the **outcomes** that as a country we need to achieve across the education system:

- Improvement in attainment, particularly in literacy and numeracy
- Closing the attainment gap between the most and least disadvantaged children
- Improvement in children and young people's health and wellbeing
- Improvement in employability skills and sustained, positive school-leaver destinations for all young people

Similarly, the **drivers for improvement** provide a summary of the key **processes** that will need to be put in place; and the key **people** that will need to be involved if improvement is to be achieved.

Plans and reports that identify:

- The particular challenges facing a local school or local authority in its unique context
- How addressing these challenges will contribute to improving the four key priorities of the NIF

will not only meet the reporting requirements of the NIF, but will also provide a rigorous basis for school / local authority improvement and a robust basis for self-evaluation within any inspection process.

4. A general approach to meeting the reporting requirements of the NIF

The Education (Scotland) Act 2016 Act sets out a number of requirements for reporting progress within the National Improvement Framework. In summary, these are:

Requirements to report on Strategies & Processes

Point 1. Steps taken by the authority to reduce inequalities of outcome for pupils who experience them as a result of socio-economic disadvantage or experience them for other reasons. This information **may** include steps taken by a person, other than the education authority's area, which were included in the children's services plan (provided for by section 8(2) of the Children and Young People (Scotland) Act 2014) for the authority's area.

Point 2. Any steps the authority has taken in pursuance of the National Improvement Framework.

Requirements to report on People & Partnerships

Point 3. Steps taken by the local authority to seek and have regard to the views of:

- The headteachers of such schools managed by the authority as the authority thinks appropriate,
- Such pupils as the authority thinks appropriate;
- The parents of such pupils as the authority thinks appropriate,
- The representatives of any trade union which appears to the authority to be representative of the teaching staff at such schools managed by the authority as the authority thinks appropriate;
- Such voluntary organisations as the authority thinks appropriate, and;
- Any other persons the authority thinks appropriate

in relation to the authority's strategic decision making about the carrying out of its functions relating to school education and its consideration of the steps to take to implement such a decision.

Requirements to report on Outcomes

Point 4. Any educational benefits for pupils that the authority considers result from taking those steps.

It is important to realise that a systematic approach to planning and reporting which provides an effective basis for self-evaluation and improvement should meet the reporting requirements of the National Improvement Framework.

This is true for both school planning and reporting (meeting the requirements of HGIOS 4) and local authority planning and reporting (meeting the requirements of QMIE).

5. A strategy-based approach to planning and reporting

The National Improvement Framework (NIF) sets out four key priorities that need to be achieved by the Scottish school system. These are:

- Improving attainment, particularly literacy and numeracy
- Closing the attainment gap
- Improving the health and wellbeing of children and young people
- Improving employability skills and post-school destinations

These priorities define the key areas for improvement at local authority and school level. They also summarise the key issues that need to be addressed by any strategic plan to meet the goals of the National Improvement Framework.

One approach to planning and within the National Improvement Framework is to use these key priorities as a framework to provide a narrative about improvement. An example outline narrative is shown on the next page, for illustration.

The narrative focusses primarily on the four key priorities, and the work on-going to improve these outcomes is used as the basis for a section of the report.

Working through the checklist of reporting requirements for the NIF (as set out in the section 4), it may be seen that:

- The steps taken to reduce inequalities of outcome (*point 1*) are evident within the narrative and evidence on “Closing the Attainment Gap”.
- There is also some account given of the wider work within GIRFEC to meet the requirements of the Children and Young People (Scotland) Act 2014 (*point 1*).
- The steps taken to address the key priorities of the NIF are well documented (*point 2*).
- The educational outcomes of children and young people arising from the local authority’s strategies are likely to be well evidenced (*point 4*).

Because the paper has been structured around the strategic approaches taken to improving outcomes, the strategic elements of the reporting requirements (*points 1 and 2*) have been very clearly met. There is also significant evidence and narrative about the outcomes achieved for children and young people (*point 4*).

However, since the paper has not been structured around the processes, people and partnerships by which these outcomes have been achieved (*point 3*) care will be needed to ensure that these are referred to in relevant sections of the narrative.

This can be easily achieved, if relevant activity relating to the Drivers for Improvement within the NIF is referred to in the relevant sections of the report. The example outline narrative shows how this might be achieved for “Teacher Professionalism” (as an example).

Outline of a possible, strategy-based narrative for a report on the NIF with reference to teacher professionalism running through the narrative

Section 1. Improving attainment

A narrative outlining the strategies that the school or local authority is using to improve attainment for all learners.

Comments about the general role of professional development in helping to improve learning and teaching

Section 2. Closing the attainment gap

A narrative outlining the strategies that the school or local authority is using to ensure that outcomes for disadvantaged and vulnerable pupils improve significantly, helping to close the attainment gap. This may include reference, for example, to the Scottish Attainment Challenge and Pupil Equity Fund.

Comments about particular programmes that address learning and teaching of key skills for low attainers (e.g. comprehension, reading for learning)

Section 3. Improving health and wellbeing

A narrative outlining the strategies that the school or local authority is using to ensure that the health and wellbeing of children improve. This may include reference, for example, to the role of GIRFEC in the plan for improvement.

Comments about particular programmes that address learning and teaching of key skills for low attainers (e.g. comprehension, reading for learning)

Section 4. Improving employability skills

A narrative outlining the strategies that the school or local authority is using to improve employability skills of pupils. This may include reference, for example, to work ongoing within the Developing the Young Workforce programme.

Comments about particular programmes that address learning and teaching of key skills for low attainers (e.g. comprehension, reading for learning)

6. A process-based approach to planning and reporting

An alternative approach to that outlined in section 5 is to structure the plan and report around the processes, resources, people & partnerships through which improvement is achieved (i.e. to focus on the implementation of the strategy for improvement). These will include the key Drivers for Improvement related to processes, resources, people & partnerships, as set out in the National Improvement Framework:

- School leadership
- Teacher professionalism
- Parental engagement
- Assessment of children's progress
- School improvement
- Performance information

An example outline narrative is shown on the next page, for illustration.

Because the report has been structured around the processes and people involved in improving outcomes, the elements of the reporting requirements relating to people & partnerships (*point 3*) have been very clearly met. There is also significant scope to address the question of how outcomes have improved for children and young people (*point 4*), through the narrative on school improvement.

However, since the paper has not been structured around the strategies adopted to improve the key priorities (*points 1 and 2*) care will be needed to ensure that these are referred to in relevant sections of the narrative.

One way to achieve this is to ensure that relevant evidence and narrative about the strategic approaches taken to address the NIF priorities is threaded through each section of the report. The example outline narrative shows how this might be achieved for the key priority of "Closing the Attainment Gap" (as an example).

Outline of a possible, process-based narrative for a report on the NIF with reference to closing the attainment gap running through the narrative

Section 1. School leadership

A narrative outlining the activities used to strengthen the leadership of the school and its impact on outcomes.

Section 2. Teacher professionalism

A narrative outlining the activities that are on-going within the school to help develop teacher professionalism and its impact on learning, teaching and other outcomes for pupils.

Comments about particular programmes that address learning and teaching of key skills for low attainers (e.g. comprehension, reading for learning) and evidence of the impact of this work in helping to close the attainment gap.

Section 3. Parental engagement

A narrative outlining the ways in which schools are engaging parents, children and young people in the plan for improvement.

Comments about particular initiatives to improve engagement with parents from areas of social disadvantage. This may include reference to work with other children's services to improve engagement through a GIRFEC-based approach.

Section 4. Assessment of children's progress

A narrative outlining the role of assessment in understanding the potential and development of each pupil.

Section 5. School Improvement and Performance Information

A narrative outlining work undertaken to build the capacity for further improvement and the role of performance information in achieving supporting school improvement. This may include reference to learning from self-evaluation or school inspections.

Comments about performance information that better supports closing of the attainment gap (e.g. the development of improved monitoring and tracking systems to help understand and evidence the impact of interventions to improve attainment of disadvantaged pupils).

7. Conclusion

As was noted above, a systematic approach to planning and reporting that provides an effective basis for self-evaluation and improvement should meet the demands:

- For self-evaluation and improvement set out in the HGIOS 4 and QMIE models for continuous improvement of schools and local authorities.
- For schools and local authorities to meet existing demands for reporting on performance (e.g. the need for a local authority to publish a Standards and Quality Report).
- And, for schools and local authorities to report progress within the National Improvement Framework.

Furthermore, this approach can be easily adapted at a local authority level to provide an effective basis for self-evaluation and improvement of children's services in the round. This will also help to meet the demands:

- For self-evaluation and improvement set out in How Well Are We Improving the Lives of Children and Young People (the framework for joint inspection of children's services).
- And, the requirements for planning and reporting of children's services, as set out in part 3 of the Children and Young People (Scotland) Act (2014).

In summary, therefore, the reporting requirements introduced under the National Improvement Framework provide an opportunity for schools and local authorities to:

- help to strengthen the focus of planning and reporting on effective and evidence-based school improvement, and;
- support progress towards a more rounded GIRFEC approach to wider children's services – by encouraging reporting of wider partnership work across children's services to improve equity of outcomes.



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